

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

NOV 10 2003

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY /s/ DEPUTY CLERK

Board of Regents, The University of Texas  
System, and 3D Systems, Inc.

Plaintiffs,

v.

EOS GmbH Electro Optical Systems,

Defendant.

Civil Action No. A03 CA 113SS

**SUPPLEMENTAL DECLARATION OF ROBERT W. DICKERSON  
IN SUPPORT OF PLAINTIFFS' RESPONSIVE *MARKMAN* BRIEF**

I, Robert W. Dickerson, declare as follows:

1. I am a partner with the law firm of Jones Day, counsel of record for plaintiffs Board of Regents, The University of Texas System, and 3D Systems, Inc. in the above-captioned action. I am duly licensed to practice law in the State of California, and have been admitted to this action *pro hac vice*. I have personal knowledge of the facts stated in this Supplemental Declaration, and I could and would competently testify to the matters set forth below if called upon to do so.

2. Attached as Exhibit 15 is a Joint Claim Construction Chart showing the proposed constructions of the parties.

3. Attached as Exhibit 16 is a true and correct copy of Patent Office *Manual of Patent Examining Procedure* (MPEP), § 2181 (Latest Revision February 2003).

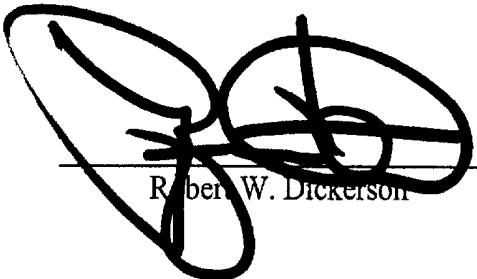
4. Attached as Exhibit 17 is *Webster's Ninth New Collegiate Dictionary* (1985) at 341 that defines "deposit" with the pertinent passage underlined; at 678 that defines "layer" with the pertinent passage underlined; at 857-58 that defines "part;" and at 906 that defines "plurality" with the pertinent passage underlined.

5. Attached as Exhibit 18 is *Webster's Third New International Dictionary* (1986) at 1645 that defines "part."

6. Attached as Exhibit 19 is a true and correct copy of U.S. Patent No. 4,863,538 issued to Deckard.

I further declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 8th day of November, 2003 at Los Angeles, California.



Robert W. Dickerson

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served in the following manner to the following counsel of record on this 10th day of November, 2003.

Thomas H. Watkins  
Albert A. Carrion, Jr.  
HILGERS & WATKINS P.C.  
98 San Jacinto Boulevard  
San Jacinto Center, Suite 1300  
Austin, Texas 78701  
(512)476-4716  
(512) 476-5139 Facsimile

*Via Certified Mail*

Michael H. Baniak  
Michael D. Gannon  
BANIAK PIKE & GANNON  
150 N. Wacker Drive, Suite 1200  
Chicago, Illinois 60606  
(312) 673-0360  
(312) 673-0361 Facsimile

*Via Federal Express and Electronic Mail*

Attorneys for Defendant  
EOS GMBH ELECTRO OPTICAL SYSTEMS

  
ELIZABETH J. BROWN FORE

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

Civil Case No. A-03-CA-113-SS

Board of Regents, The Univ. of Texas, et al.

VS.

EOS GmbH Electro Optical Systems

Attachments to

Document #: 105

Description: Supplemental Declaration of Robert W.  
Dickerson In Support of P's Responsive  
Markman brief

Filed By: Cnsl. For Plaintiffs

File Date: 11/10/03